

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA**

<b>UNITED STATES OF AMERICA</b>	<b>*</b>	<b>CRIMINAL NO. 6:17-CR-00089</b>
<b>VERSUS</b>	<b>*</b>	<b>JUDGE DRELL</b>
<b>RICHARD J. VIATOR, JR.</b>	<b>*</b>	<b>MAGISTRATE JUDGE HANNA</b>

**REPORT AND RECOMMENDATION  
ON  
FELONY GUILTY PLEA BEFORE THE UNITED STATES MAGISTRATE JUDGE**

Pursuant to Title 28, United States Code, Section 636(b), and with the written and oral consent of the defendant, this matter has been referred by the District Court for administration of guilty plea and allocution under Rule 11 of the Federal Rules of Criminal Procedure.

This cause came before the undersigned United States Magistrate Judge for a change of plea hearing and allocution of the defendant, Richard J. Viator, Jr., on January 10, 2018. The defendant was present with his counsel, Christie Gautreaux Gibbens.

After the hearing, and for the reasons orally assigned, it is the finding of the undersigned that the defendant is fully competent, that his plea of guilty is knowing and voluntary, and that his guilty plea to Count 1 of the indictment is fully supported by a written factual basis for each of the essential elements of the offense.

Additionally, the defendant voluntarily waived the fourteen day objection period that would otherwise be available under 28 U.S.C. § 636. (Rec. Doc.22).

Therefore, the undersigned United States Magistrate Judge recommends that the District Court **ACCEPT** the guilty plea of the defendant, Richard J. Viator, Jr., in accordance with the terms

of the plea agreement filed in the record of these proceedings, and that Richard J. Viator, Jr. be finally adjudged guilty of the offense charged in Count 1 of the Indictment.

THUS DONE AND SIGNED in chambers, at Lafayette, Louisiana, on January 18, 2018.



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PATRICK J. HANNA  
UNITED STATES MAGISTRATE JUDGE